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**From:** Lannette Linthicum  
**To:** William Stephens  
**CC:** Barbara Pixley/Institutional/TDCJ@TDCJ  
**Sent:** 6/14/2013 3:40:01 PM  
**Subject:** Fw: Hyperthermia Deaths  
**Attachments:** Hyperthermia deaths 2001 to June 2013 Response.xls

FYI

----- Original Message -----

**From:** Julie Artherholt  
**Sent:** 06/14/2013 02:15 PM CDT  
**To:** Lannette Linthicum  
**Cc:** Marsha Brumley; lialopez@utmb.edu  
**Subject:** Hyperthermia Deaths

Dr. L:

Attached below is the list of the hyperthermia deaths:

Lisa: Offender Hinojosa #01802681 was added to your list based on the autopsy.

Please let me know if you need anything further.

Thanks,  
Julie  
7-6391

**DOCUMENT PLACEHOLDER**

**File Name:** Hyperthermia deaths 2001 to June 2013 Response.xls

**Texas Department of Criminal Justice**  
**Offender Hyperthermia Deaths**  
**CY2001 - CY2013 (YTD June)**

<b>DOD</b>	<b>TDCJ ID</b>	<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>MIDDLE</b>	<b>IMMEDIATE CAUSE OF DEATH</b>
8/4/01	1041651	Cardwell	John	Wayne	Hyperthermia
7/16/04	1172218	Robertson	Ricky	L	Hyperthermia
8/8/07	00390315	Shriver	James	R	Cardiac Arrhythmia*
8/13/07	01443175	Robles Jr	Dionicio		Hyperthermia
7/25/11	01722504	Hudson	Douglas	Earl	Hyperthermia
7/28/11	01721640	McCollum	Larry	Gene	Hyperthermia
8/3/11	00680515	Meyers	Thomas		Hyperthermia
8/4/11	01569761	Webb	Robert	Allen	Hyperthermia
8/8/11	01457546	Cook	Charles	Lee	Hyperthermia
8/8/11	01395315	Martone	Michael	David	Hyperthermia
8/8/11	01578039	Togonidze	Alexander		Hyperthermia
8/12/11	01128380	Marcus	Kelly	Don	Hyperthermia
8/13/11	01726849	James	Kenneth	Wayne	Hyperthermia
8/20/11	01517660	Alvarado	Daniel		Hyperthermia
8/4/12	01797921	Adams	Rodney	Gerald	Hyperthermia
8/29/12	01802681	Hinojosa	Albert		Cardiac Arrhythmia*

The offender deaths above include only those for which an autopsy has been received.

\*The immediate cause of death was cardiac arrhythmia, however, hyperthermia was noted as an underlying cause.



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**From:** Lannette Linthicum  
**To:** Frank Inmon; Kim Farguson  
**CC:** Armstrong Clyde; George Crippen; Kara Coffey; Justin Robison; Owen Murray; Robert Eason; William Stephens  
**Sent:** 6/18/2014 3:34:31 PM  
**Subject:** Re: Fw: A/C Work in Progress

Mr.inmon,

Is it possible to put some type of temporary /portable chilling devices at Carol Young? July 2 is still two weeks away. One patient had to b transferred to HG with a reported heat related illness today. Nursing is concern about the patients and the medications. Once the temperature gets above 86 degrees the integrity of the medications (therapeutic efficacy) is compromised.

----- Original Message -----

**From:** Lannette Linthicum  
**Sent:** 06/18/2014 10:56 AM CDT  
**To:** Frank Inmon; Kim Farguson  
**Cc:** Clyde Armstrong; George Crippen; Kara Coffey  
**Subject:** Re: Fw: A/C Work in Progress  
 Thank you very much for your efforts! We sincerely appreciate it

----- Original Message -----

**From:** Frank Inmon  
**Sent:** 06/18/2014 10:11 AM CDT  
**To:** Kim Farguson  
**Cc:** Clyde Armstrong; Lannette Linthicum; George Crippen; Kara Coffey  
**Subject:** Re: Fw: A/C Work in Progress  
 Thanks Kim.

Frank Inmon  
 Director, Facilities Division

**From:** Kim Farguson/Facilities/TDCJ  
**To:** Frank Inmon/Facilities/TDCJ@TDCJ  
**Cc:** Clyde Armstrong/Facilities/TDCJ@TDCJ  
**Date:** 06/18/2014 10:02 AM  
**Subject:** Fw: A/C Work in Progress

Chiller number 2 that the vendor is working on will require a shaft to be repaired at a machine shop and will require an extra \$15,000.00 to repair; the vendor is contacting Janice Billeck for authorization. Once approved it will take approximately 3 to 4 days to do the machine work and if completed right away the vendor should be able to get this chiller back on line with a projected date of July 2nd. The 5 to 6 week out projection that was mentioned earlier in the emails is if the impellers had to be replaced. The impellers were checked this morning and they were found to be within tolerance and may be reused.

Chiller number 1 appears to have a phase imbalance, which can affect the chiller operation. The unit is dropping a requisition this morning to get this corrected. However the chiller is still operational at this time and this unit normally requires one chiller for operation, as the second chiller is used for redundancy. Regional maintenance and facilities maintenance has been dispatched this morning to look at the air handling equipment to insure that the valves are open for proper water flow and that the dampers are in the proper position for cooling. They will also be acquiring information that would be required if further action is needed.

Kim Farguson  
 Deputy Director of Maintenance  
 Office 936-437-7294  
 Blackberry 936-661-1792  
 Fax 325-223-0294

----- Forwarded by Kim Farguson/Facilities/TDCJ on 06/18/2014 09:31 AM -----

**From:** George Crippen/Health\_Services/TDCJ  
**To:** Frank Inmon/Facilities/TDCJ, Clyde Armstrong/Facilities/TDCJ@TDCJ, Kim Farguson/Facilities/TDCJ@TDCJ

Date: 06/18/2014 08:52 AM  
Subject: Fw: A/C Work in Progress  
Sent by: Helen Buendel

Please read the email below and see the pictures that were sent to me.

Thank you,  
George Crippen, RN, MSN, PhDc  
Chief Nursing Officer/Director, Clinical Administration  
Texas Department of Criminal Justice  
email: george.crippen@tdcj.state.tx.us  
936-437-3595 (Office)  
936-437-3591 (Fax)

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----- Forwarded by Helen Buendel/Health\_Services/TDCJ on 06/18/2014 08:49 AM -----

From: "Robison, Justin R." <jrrobiso@UTMB.EDU>  
To: "george.crippen@tdcj.state.tx.us" <george.crippen@tdcj.state.tx.us>  
Cc: "Williams, Anthony K." <akwillia@utmb.edu>, "Zepeda, Stephanie D." <sdzepeda@UTMB.EDU>  
Date: 06/18/2014 08:10 AM  
Subject: FW: A/C Work in Progress

George,  
It appears temperatures inside of Carole Young are higher this morning than what was recorded yesterday. Since these temps were taken before 8am, I would expect that they will rise throughout the day.  
We are approaching the upper threshold of medication storage temperature requirements (59f to 86f). Do you know if the option of placing the large portable AC units on the patient pods has been discussed?

Thanks,  
Justin Robison, MSN, RN  
Director of Nursing Services  
In-Patient Services  
Correctional Managed Care  
University of Texas Medical Branch  
Cell 806-535-1150

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**From:** Noor, Naushad  
**Sent:** Wednesday, June 18, 2014 7:53 AM  
**To:** Robison, Justin R.; Smith, Monte K.; Adams, Glenda M.; Williams, Anthony K.  
**Cc:** Knight, Tina; Taylor, Joe R.  
**Subject:** RE: A/C Work in Progress

Good morning, please see attached pictures. First picture taken at 7:31am is of 1 West - 83.3°F and the second one at 7:36am of 2 North-85.5°F.

Carole Young facility normally runs on 2 chillers and a cooling tower. As per unit maintenance, they are currently running only the small chiller out of the 2 and working on the other one and a cooling tower. Expected completion of the AC work is still 4-6 weeks out. Thanks,







**Naushad Noor, MHA, MBA**

Business Manager - Carole Young Medical Facility

Off: 409-948-0001 Ext. 1104 Cell: 713-376-2962

University of Texas Medical Branch - 301 University Boulevard - Galveston, TX 77555

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**From:** Robison, Justin R.

**Sent:** Tuesday, June 17, 2014 5:51 PM

**To:** Knight, Tina; Noor, Naushad

**Subject:** Fwd: A/C Work in Progress

FYI

Justin

Sent from my iPhone

Begin forwarded message:

**From:** <lannette.linthicum@tdcj.state.tx.us>

**Date:** June 17, 2014 at 5:45:06 PM CDT

**To:** Tony Williams <akwillia@utmb.edu>, Justin Robison <jrrobiso@utmb.edu>, "George Crippen RN, MSN" <george.crippen@tdcj.state.tx.us>

**Cc:** Owen Murray <ojmsm@earthlink.net>

**Subject:** Fw: Fw: A/C Work in Progress

Plaintiffs' MSJ Appx. 6268

TDCJ022601

FYI

----- Original Message -----

From: Frank Inmon  
Sent: 06/17/2014 05:42 PM CDT  
To: Lannette Linthicum  
Subject: Fw: Fw: A/C Work in Progress

Fyi

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Kim Farguson  
Sent: 06/17/2014 05:16 PM CDT  
To: Frank Inmon  
Cc: Clyde Armstrong  
Subject: Re: Fw: A/C Work in Progress

One of two chillers is operating at this time. The parts were pulled today by the vendor on the inoperative chiller, and the vendor is to be getting with us in the morning to give us a good time line for repair after close inspection of the parts.

Kim Farguson  
Deputy Director of Maintenance  
Office 936-437-7294  
Blackberry 936-661-1792  
Fax 325-223-0294

From: Frank Inmon/Facilities/TDCJ  
To: Kim Farguson/Facilities/TDCJ@TDCJ  
Date: 06/17/2014 02:14 PM  
Subject: Re: Fw: A/C Work in Progress

Thanks

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Kim Farguson  
Sent: 06/17/2014 01:59 PM CDT  
To: Frank Inmon  
Cc: Clyde Armstrong  
Subject: Re: Fw: A/C Work in Progress

There is a Vendor on site at this time working on this. Temperatures have been taken throughout the facility and the highest temperature recorded at this time has been 75 degrees. The vendor has just sent for the maintenance supervisor to discuss the problems he has found. Will keep you informed, and will find out what they are talking about with the 5 to 6 weeks out.

Kim Farguson  
Deputy Director of Maintenance  
Office 936-437-7294

Blackberry 936-661-1792  
Fax 325-223-0294

From: Frank Inmon/Facilities/TDCJ  
To: Clyde Armstrong/Facilities/TDCJ, Kim Farguson/Facilities/TDCJ  
Date: 06/17/2014 01:27 PM  
Subject: Fw: A/C Work in Progress

Clyde, I know you are working this, but when you get more info, let me know, especially as to why repairs are 5 - 6 weeks out.

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: George Crippen  
Sent: 06/17/2014 12:51 PM CDT  
To: Clyde Armstrong  
Cc: Frank Inmon; Lannette Linthicum; [mksmith@utmb.edu](mailto:mksmith@utmb.edu);  
[jrrobiso@utmb.edu](mailto:jrrobiso@utmb.edu)  
Subject: Fw: A/C Work in Progress  
Mr. Armstrong:

Please see the email below about Carole Young Facility's air conditioning. This is the Southern Region Medical Facility and many of the offender patients cannot be housed in the heat. Please notify me when the A/C will be repaired and the temperature will be able to be corrected on the unit.  
This is an urgent request.

Thank you

George Crippen, RN, MSN, PhDc  
Chief Nursing Officer/Director, Clinical Administration  
Texas Department of Criminal Justice  
email: [george.crippen@tdcj.state.tx.us](mailto:george.crippen@tdcj.state.tx.us)  
936-437-3595 (Office)  
936-437-3591 (Fax)

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----- Forwarded by George Crippen/Health\_Services/TDCJ on 06/17/2014 12:46 PM -----

From: "Williams, Anthony K." <[akwillia@utmb.edu](mailto:akwillia@utmb.edu)>

To: George <[george.crippen@tdcj.state.tx.us](mailto:george.crippen@tdcj.state.tx.us)>

Cc: "Linthicum, Lannette C." <[lannette.linthicum@tdcj.state.tx.us](mailto:lannette.linthicum@tdcj.state.tx.us)>, "Smith, Monte K." <[mksmith@UTMB.EDU](mailto:mksmith@UTMB.EDU)>, "Robison, Justin R." <[jrrobiso@UTMB.EDU](mailto:jrrobiso@UTMB.EDU)>

Date: 06/17/2014 11:36 AM

Subject: Fwd: A/C Work in Progress

George any help with this would be appreciated.

Thanks, AKW.

Begin forwarded message:

From: "Noor, Naushad" <[nanoor@UTMB.EDU](mailto:nanoor@UTMB.EDU)>  
Date: June 17, 2014 at 10:06:59 AM CDT  
To: "Williams, Anthony K." <[akwillia@utmb.edu](mailto:akwillia@utmb.edu)>  
Subject: A/C Work in Progress

Hello Mr. Williams,

Unit maintenance has been working on the Air Conditioning system for over a week now and the work will not finish for next 5-6 weeks at least. TDCJ have been contemplating over this for over a year now, but have no idea why they chose to start this work during summers and not winters. FYI, current temperature on the unit and in the PODS are above 80 degrees. Any help you can provide to expedite the work in progress will be appreciated.

Regards,

Naushad Noor, MHA, MBA  
Business Manager - Carole Young Medical Facility  
Off: 409-948-0001 Ext. 1104 Cell: 713-376-2962  
University of Texas Medical Branch - 301 University Boulevard - Galveston,  
TX 77555

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From: Noor, Naushad  
Sent: Tuesday, June 10, 2014 11:56 AM  
To: Williams, Anthony K.  
Subject: Meeting Tomorrow

Will you be available to talk tomorrow? I am coming down to Conroe office in the morning for Process Improvement meeting. Need to discuss A/C issues on the unit and some other provider issues that needs to be addressed.  
Thanks,

Naushad Noor, MHA, MBA  
Business Manager - Carole Young Medical Facility  
Off: 409-948-0001 Ext. 1104 Cell: 713-376-2962  
University of Texas Medical Branch - 301 University Boulevard - Galveston,  
TX 77555

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA	§	
McCOLLUM, individually, and STEPHANIE	§	
KINGREY, individually and as independent	§	
administrator of the Estate of LARRY GENE	§	
McCOLLUM,	§	
PLAINTIFFS	§	
	§	
v.	§	CIVIL ACTION NO.
	§	4:14-cv-3253
	§	JURY DEMAND
BRAD LIVINGSTON, JEFF PRINGLE,	§	
RICHARD CLARK, KAREN TATE,	§	
SANDREA SANDERS, ROBERT EASON, the	§	
UNIVERSITY OF TEXAS MEDICAL	§	
BRANCH and the TEXAS DEPARTMENT OF	§	
CRIMINAL JUSTICE.	§	
DEFENDANTS	§	

Plaintiffs' Consolidated Summary Judgment Response Appendix

**EXHIBIT 264**

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**From:** George Crippen  
**To:** Armstrong Clyde; Kim Farguson  
**CC:** Frank Inmon; Lannette Linthicum; Robert Williams; Smock, Stephen R.  
**Sent:** 7/8/2014 4:45:58 PM  
**Subject:** FW: Valley and Riverside Air Condition units

Clyde and Kim:

Please see the email below concerning the aircondition problems at the Crain Unit. Please let me know what can be done to help repair the air conditioners as soon as possible. Having healthcare areas at 90 degrees or above needs to be corrected as soon as possible as it can affect the integrity of the medications, etc.

Thank you

George Crippen, RN, MSN, PhDc  
Chief Nursing Officer/Director, Clinical Administration  
Texas Department of Criminal Justice  
email: george.crippen@tdcj.state.tx.us  
936-437-3595 (Office)  
936-437-3591 (Fax)

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From: Smock, Stephen R. <srsmock@utmb.edu>  
Sent: Tuesday, July 8, 2014 3:52 PM  
To: George Crippen  
Subject: Fwd: Valley and Riverside Air Condition units

FYI on ac at Crain units. Not sure if you can help or not  
Txs Steve

Sent from my iPhone

Begin forwarded message:

From: "Jarrett, W. E." <wejarret@UTMB.EDU>  
Date: July 8, 2014 at 3:28:58 PM CDT  
To: "Smock, Stephen R." <srsmock@utmb.edu>, "Williams, Sharon C." <shacwill@UTMB.EDU>  
Subject: FW: Valley and Riverside Air Condition units

Mr. Smock,



Sent for your information:

The AC units at several different locations on the Crain unit has repeatedly been in-operable. In a couple of locations, multiple times for extended periods. Warden Scott has been very responsive to our needs and provided the below response to my inquiry earlier today, but no real timetable. Since receipt of the below e-mail, the NM (Ms. Basham) reported that the temp is over 90 degrees which creates a medical concerns. Although fans have been provided by security, she (Ms. Basham, NM) indicated they are not helping. Obviously, the staff is complaining. The Regional Warden (Ms. Guerrero) has been kept apprised of the situations (note he was copied on the e-mail below), but the situation persists. Dr. Morris and I inquired about portable AC units and were told none were available.

W. EARL JARRETT  
Region 1, Operations Manager  
University of Texas Medical Branch  
(512) 268-0079 X135

wejarret@utmb.edu

---

From: Judy.Scott@tdcj.state.tx.us [Judy.Scott@tdcj.state.tx.us]  
Sent: Tuesday, July 08, 2014 1:45 PM  
To: Jarrett, W. E.; Eric Guerrero  
Subject: Re: Valley and Riverside Air Condition units

The Reception unit is working in the medical department. The unit at Riverside looks to be the compressor and they are working on parts. The unit at Valley had parts installed however yesterday they were working on replacing a dryer.

One tech is out sick and the other is on military leave starting for two weeks today. Our maintenance supervisor said the regional staff are working on ac problems at Middleton Unit.

Maintenance is working on the problem however they have to have licensed freon tech to put freon in. Mr. Martin is working on the problem. Fans have been placed in each department to assist.

J. K. Scott  
Senior Warden  
Crain Unit

---

From: "Jarrett, W. E." [wejarret@UTMB.EDU]  
Sent: 07/08/2014 05:03 PM GMT  
To: Judy Scott  
Subject: FW: Valley and Riverside Air Condition units

Warden Scott,

Looks like the AC units are proving to be a major issue.

I just returned from vacation, but have been watching from a distance and know that you've

been on top of the AC issues. However, I need to give my superiors an update and would appreciate you sharing the latest info. As indicated below, at certain temperatures we have to try to protect the medications.

Thanks for your assistance.

W. EARL JARRETT  
Region 1, Operations Manager  
University of Texas Medical Branch  
(512) 268-0079 X135

wejarret@utmb.edu

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From: Saulter, Julia E.  
Sent: Tuesday, July 08, 2014 7:56 AM  
To: Jarrett, W. E.  
Cc: Basham, Cynthia N.  
Subject: Valley and Riverside Air Condition units

Warden Scott is aware of the broken units. On Thursday she had maintenance working on them and they were both working on Thursday but on Friday they were broke again . Warden Scott had maintenance looking at both of them yesterday but when I called this morning they were still not working. The concern here is the medication and it getting above 85 degree in the medical area. Valley air condition been out over a month and Riverside air condition been out since June 23, 2014.

Have a wonderful day

Julia Saulter  
Practice Manager  
Crain Facility  
1401 State School Rd  
Gatesville, TX 76599  
254 865 8431 x 5340  
254 865 8431 x 5347 fax  
jesaulte@utmb.edu



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §  
 McCOLLUM, individually, and STEPHANIE §  
 KINGREY, individually and as independent §  
 administrator of the Estate of LARRY GENE §  
 McCOLLUM, §

PLAINTIFFS

V.

CIVIL ACTION NO.

4:14-cv-3253

## JURY DEMAND

BRAD LIVINGSTON, JEFF PRINGLE, §  
RICHARD CLARK, KAREN TATE, §  
SANDREA SANDERS, ROBERT EASON, the §  
UNIVERSITY OF TEXAS MEDICAL §  
BRANCH and the TEXAS DEPARTMENT OF §  
CRIMINAL JUSTICE. §

DEFENDANTS

## Plaintiffs' Consolidated Summary Judgment Response Appendix

# EXHIBIT 265

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**From:** Phyllis McWhorter  
**To:** Kathryn Buskirk  
**Sent:** 7/9/2014 8:30:24 AM  
**Subject:** Heat Database  
**Attachments:** Temperature Extremes Query.xls

Attached is a copy of the entire database of reportable heat-related illness reported to HSL since 2010. I included the date of the incidents as well as the offenders' names, numbers and units of assignment, to help you pinpoint the medications the offenders were taking at the time of the report.

**Phyllis McWhorter, RN**  
Manager IV  
Health Services Liaison  
936-437-3589/FAX: 437-3599

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This item has been produced in native format:

**Temperature Extremes Query.xls**

TDCJ033141.XLS

Name	TDCJ.	UOA	Date
DAVIS, MICHAEL	1637148	ND	6/5/10
TREVINO, ROSITA	1640236	LT	6/13/10
CORONA, MARTIN	1562219	TO	6/16/10
PEREZ, MIGUEL	1640605	NH	6/17/10
CONNALLY, JOHN	675451	R2	6/21/10
TAMEZ, ROBERTO	1597036	NF	6/25/10
VARGAS, FELIPE	1637126	NF	6/25/10
PERKINS, STANLEY	1234018	CY	6/27/10
WILLIAMS, GEROD	707919	CO	7/6/10
SANDOVAL, JOSEPH	1634661	NH	7/12/10
GOODMAN, HUEY	1446650	J3	7/13/10
MINDIETA, ANTONIO	783456	MI	7/13/10
BRIDGES, TIMMY	501153	CO	7/14/10
BOYKIN, MICHAEL	1609230	CO	7/16/10
CUMMINGS, GABRIEL	1561768	CO	7/16/10
SHUPING, MICHAEL	1572168	RH	7/20/10
CUMMINGS, GABRIEL	1561768	CO	7/21/10
THOMAS, RANDY	1628317	FB	7/30/10
LEBLANC, JEHONATHAN	1445973	RH	8/1/10
GUTIERREZ, DOMINGO	1481526	SB	8/3/10
LUZNOR, WILLIAM	1519654	SB	8/3/10
MARTINEZ, EUGENE	1194598	SB	8/3/10
RIOS, JOSEPH	1521246	SB	8/3/10
RUSSELL, RANDALL	1605632	NE	8/3/10
LEWIS, CHRISTOPHER	593153	EA	8/4/10
SEWELL, CHRISTOPHER	1304463	CO	8/4/10
BOYD, RICHARD	1654613	DU	8/7/10
YBARRA, ANDREW	1639843	LN	8/9/10
GIBSON, DAVID	1113730	BR	8/10/10
SEAWRIGHT, BENJAMIN	558560	NF	8/10/10
SAMPAYO, GUADALUPE	443934	W6	8/11/10
ADAMS, CHARLES	1565876	JD	8/12/10
VALDEZ, DAVID	1562804	R2	8/12/10
SNEED, LEONARD	1608028	GG	8/13/10
SMITH, ROGER	1425395	R1	8/13/10
CRUZ, LEROY	1532465	CM	8/16/10
SALINAS, JOE	1533300	FE	8/17/10
TREJO, GENARO	1415279	HV	8/17/10
BLACKSHERE, DMARCUS	1401935	BR	8/19/10
STYDE, RUSSELL	1406457	CY	8/20/10
CANTU, JOSE	837363	HD	8/23/10
PORTER, RAYMOND	486572	N6	9/10/10
GUTIERREZ, DOMINGO	1481526	SB	9/15/10
SOTO, JESSE	904710	MI	9/15/10
NEALY, FOLEY	1633746	NI	9/16/10
BYRD, PHILIP	1674233	TI	6/8/11
GONZALEZ, JUAN	1706798	TI	6/8/11
BAILEY, EDDY	1696852	GG	6/10/11

TDCJ033141.XLS

SAM, KRISTEN	1710051	GV	6/10/11
ESPIGA, FRANK	1224251	J3	6/10/11
HAROS, JOE	1634505	TI	6/10/11
PHELPS, DUVAL	774270	B2	6/11/11
WALKER, LORENZA	1441437	RV	6/13/11
CLAYBROOK, AMBER	1710094	LJ	6/13/11
MORGAN, JOHNETTA	1705891	LJ	6/13/11
MYERS, BYRON	1265529	B1	6/14/11
REMO, SHANNON	1710097	LJ	6/14/11
EDWARDS, JIMMY	1537093	SB	6/15/11
ARDOIN-WHEATON, JEREMY	1529312	DB	6/15/11
LEIJA, JOSE	1481829	SB	6/15/11
HUNTER, JEREMIAH	1555851	SB	6/15/11
SEIGRIST, VENUS	1714318	LJ	6/16/11
BOYKIN, MICHAEL	889085	HI	6/18/11
MCKNIGHT, JASON	1699725	ND	6/18/11
CLAYBROOK, AMBER	1710094	LJ	6/19/11
REMO, SHANNON	1710097	LJ	6/19/11
MORGAN, JOHNETTA	1705891	LJ	6/19/11
MEDLIN, ANDREAS	1562253	SB	6/21/11
GUTIERREZ, ROBERTO	1666775	GG	6/29/11
ASSMAN, WAYNE	1398891	E1	6/30/11
GILBERT, RAYMOND	697953	E2	6/30/11
REMO, SHANNON	1710097	LJ	7/1/11
GARCIA, BILLY	1715260	NE	7/3/11
YARBROUGH, NANCY	1387800	HB	7/5/11
WILLIAMS, DIONNE	1613427	LM	7/6/11
DODDY, RAYNELL	1507165	HB	7/8/11
CARR, THOMAS	1405931	HV	7/9/11
HINDS, JULIE	1450130	HB	7/11/11
SUMMERS, STEVEN	1666914	J3	7/11/11
BUCKJUNE, JOSHUA	1444604	E1	7/11/11
DAVIS, RAYFORD	1697047	NF	7/12/11
ACUNA, VICTOR	1635974	GG	7/13/11
STOKES, RONALD	550499	B1	7/13/11
JONES, DANARET	1660200	SB	7/13/11
MOREHEAD, EARL	1717952	NH	7/18/11
MENDOZA, DAVID	1577590	CN	7/18/11
HESTER, LEO	1153910	RH	7/18/11
CUMMING, ROBERT	1115793	RH	7/18/11
RODDY, ALICIA	1665458	LM	7/18/11
WILLIAMS, GARY	1689991	NE	7/18/11
WOTIPKA, GLENN	1398406	SB	7/19/11
GRAVES, DAVID	1722578	NE	7/21/11
MCCOLLUM, LARRY	1721640	HJ	7/22/11
HUDSON, DOUGLAS	1722504	ND	7/25/11
BOATWRIGHT, THOMAS	1650325	LH	7/27/11
PALOMO, PABLO	1560862	VS	7/28/11
PALOMO, PABLO	1560862	VS	7/28/11

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MIZELL, DAVID	410266	E1	7/30/11
REMO, SHANNON	1710097	LJ	7/31/11
WIETGRIFE, JON	1719661	GG	8/2/11
MEYERS, THOMAS	680515	CO	8/2/11
SIMS, TERRY	1698626	CL	8/3/11
SWEET, PAUL	1548013	EA	8/3/11
SETTLES, EDWARD	1559637	BY	8/3/11
SEGHELMEBLE, JUAN	1701217	E1	8/3/11
DOUGLAS, TONNIE	760759	TO	8/3/11
SEGARS, CLIFFORD	1649677	WY	8/3/11
BLACK, SHEARRY	1497435	HB	8/3/11
REEVES, ROBERT	400731	CO	8/4/11
PEEK, BRENT	1491915	MI	8/4/11
COCKBURN, RONNIE	1724311	ND	8/4/11
FUENTES, STEVEN	1702148	ND	8/4/11
OLDS, STEPHEN	1703824	LN	8/4/11
MORGAN, THOMAS	1678289	E1	8/4/11
DOYLE, STEVEN	1558013	MI	8/4/11
AGEE, JUSTIN	1043939	MI	8/4/11
WALL, MARK	1698560	CL	8/4/11
WEBB, ROBERT	1569761	HD	8/4/11
LUCE, STEVEN	1683764	EA	8/5/11
SOTO, VICENTE	1437057	E1	8/5/11
KING, SPENCER	749021	MI	8/6/11
FARMER, CHARLES	1363696	WY	8/7/11
COOK, CHARLES	1457546	HD	8/8/11
TOGONIDZE, ALEXANDER	1578039	MI	8/8/11
MARTONE, MICHAEL	1395315	HV	8/8/11
HALL, BRUCE	1725286	E2	8/8/11
STEPHENS, CARLTON	1178212	J3	8/8/11
STORK, TERRY	1535873	J3	8/8/11
HERNANDEZ, CYNTHIA	1683226	LC	8/8/11
JARAMILLO, RAFAEL	1268849	JA	8/9/11
ANDERSON, JOSEPH	1718614	HV	8/9/11
ISELL, MICHAEL	1704091	HV	8/9/11
REDWING, STEVEN	1726709	DU	8/10/11
STUBBA, RICHARD	1244924	HV	8/10/11
ORSACK, COLIN	806165	EA	8/10/11
CLARK, RICHARD	1556737	BY	8/10/11
TIDWELL, AMY	1429856	LC	8/10/11
GUINN, BARBARA	1589587	LC	8/10/11
WOODWARD, FRANCIS	1624824	LC	8/10/11
RAMIREZ, GLORIA	1591055	LC	8/10/11
GATLIN, CHARLES	1632990	RB	8/10/11
FRANKLIN, LUTHER	1337813	HV	8/11/11
BOSTICK, BENAJAMIN	1179575	HV	8/11/11
MARTINEZ, DAVID	1408876	J3	8/11/11
SALAZAR, OMAR	1459014	J3	8/11/11
WILKINS, LASHANDA	1595028	LM	8/11/11

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PEPPER, CHARLES	567311	HV	8/11/11
SNOGA, ROBERT	1419453	HV	8/11/11
HARRIS, THOMAS	1120190	CO	8/12/11
BERRY, JAMES	1680028	HV	8/12/11
MALDONADO, JOE	1569194	EA	8/12/11
MARCUS, KELLY	1128380	CY	8/12/11
FRANKS, REX	1677898	J3	8/12/11
JAMES, KENNETH	1726849	ND	8/13/11
STOCKTON, JOSHUA	1315740	HV	8/13/11
BUCKLEY, GEORGE	1005777	EA	8/13/11
HOUSTON, DONNELL	1570708	HV	8/14/11
CARRELL, JOHN	1503748	HV	8/15/11
TOWNSEND, TJ	1632265	B1	8/16/11
JONES, ROSS	1422120	TO	8/16/11
MARTINEZ, JESUS	569659	J3	8/16/11
RODRIGUEZ, DENNIS	1216790	CO	8/16/11
SCHIMMERHORN, MICHAEL	824339	HV	8/17/11
INGRAHAM, JONATHAN	1583339	ND	8/18/11
DULOCK, DONALD	1728295	NF	8/18/11
COLQUITT, CLARENCE	1638892	GG	8/18/11
SALDANA, RAMON	1569671	EA	8/18/11
ALVAREZ, PAUL	1726230	ND	8/19/11
DULOCK, DONALD	1728295	NF	8/19/11
WOODERTS, STEVEN	1483227	J3	8/19/11
STRAWHUN, MICHAEL	1685091	CV	8/19/11
GARCIA, BEVERLY	544803	LM	8/19/11
ALVARADO, DANIEL	1517660	B1	8/20/11
DELOSSSANTOS, LUCIO	682768	GR	8/20/11
WALLACE, EDWARD	1728545	ND	8/20/11
FLORES, ROBERT	1692609	BL	8/20/11
STEWART, PAUL	1728560	ND	8/21/11
BOUDREAUX, HAROLD	1260996	MI	8/22/11
CLOUD, JOHN	749521	MI	8/22/11
BANDY, JAMES	1723310	GG	8/22/11
JOHNSON, EMMA	1673927	LM	8/22/11
BOGGUS, JAMES	1593395	ND	8/23/11
JONES, JAMAL	1725408	GG	8/23/11
DIXON, KENNETH	1676219	GG	8/24/11
RAMIREZ, RICHARD	1207123	ND	8/24/11
BROCK, MASON	1717106	BL	8/24/11
HERNANDEZ, JOAQUIN	1449506	HI	8/24/11
LUNA, ALICE	1727759	LJ	8/26/11
SAULS, JULIANNA	1728339	LJ	8/26/11
LINDSEY, RICKY	1265853	DL	8/26/11
JONES, RONNIE	1568093	J3	8/26/11
ENGELBRECHT, MATTHEW	1269299	B2	8/27/11
HORN, KEITH	1656601	B2	8/27/11
KELLY, JOHN	1574568	VS	8/27/11
DRAHAIM, ROBERT	560191	HV	8/29/11

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WATKINS, FLOYD	1099744	HV	8/29/11
SAMPSON, CHARLES	644861	EA	8/29/11
DECKARD, JAMES	1730494	ND	8/30/11
HUTTON, DAVID	1119022	HV	8/30/11
WYNNE, BILL	759636	J3	8/30/11
DECKARD, JAMES	1730797	ND	8/30/11
JEWELL, MARK	592686	EA	8/31/11
DECKARD, JAMES	1730797	ND	8/31/11
SMITH, CURTIS	1695998	FE	9/1/11
SNEED, CHARLES	1710820	TI	9/2/11
SMITH, ANTHONY	1658350	CY	9/13/11
FLORES, JOSE	1725264	GG	9/22/11
BOOTH, TYRONE	1500700	E1	5/6/12
DUBBERSTEIN, JEFFERY	1681074	R1	5/26/12
BURTON, BOBBY	592278	J3	6/2/12
GREEN, DANIEL	1785726	LN	6/2/12
YARBROUGH, CHANEL	1775716	LJ	6/4/12
MARTIN, JEWELS	1761521	GG	6/4/12
Traylor, Ebony	1750326	HT	6/4/12
KEIFFER, DAVID	1689183	GG	6/5/12
WINDLAND, JIMMY	1205662	E1	6/5/12
MONROE, RANDY	1722199	GG	6/6/12
LIZARDO, EZEQUIEL	1358744	R1	6/6/12
FREEMAN, RICHARD	1021603	E1	6/6/12
TAPLIN, CHARLES	1288257	E1	6/6/12
LACY, TRAVIS	1505097	MI	6/11/12
WHITE, DARWIN	1635083	BY	6/12/12
ARTHUR, DANIEL	664867	MI	6/12/12
CASTLEMAN, DAVID	1760922	LN	6/12/12
BOLLIER, ANTONY	1550797	P1	6/12/12
MEDRANO, LUIS	1763550	RL	6/13/12
MAGANA, RUDY	1744741	GG	6/13/12
GARCIA, JULIAN	1609566	HI	6/15/12
BOYETT, LISA	1780804	LJ	6/15/12
CLEM, CRISTIN	1782862	LJ	6/18/12
PRATT, DAVID	1745094	AH	6/19/12
OLES, MELVIN	768769	BY	6/23/12
ENDRESS, KURT	1790260	J1	6/25/12
ANDERSON, GREGORY	1611431	P2	6/25/12
ANDERSON, GREGORY	1611431	P2	6/25/12
MARMOLEJO, ANTHONY	1559279	GL	6/26/12
VALDIVIA, CHRISTOPHER	1458746	GL	6/26/12
DILLON, SHAWN	1788383	LN	6/26/12
BARNES, JERRY	1618214	P2	6/26/12
LEWIS, FRANKIE	1645723	LJ	6/26/12
WYNN, MATTIE-ANN	1739348	LJ	6/26/12
WASHINGTON, ANDRE	1757195	P2	6/26/12
VERA, ROLANDO	1707464	P2	6/26/12
PRITCHARD, JEREMY	1761127	P1	6/26/12



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CULBERT, JARION	1693741	P2	6/27/12
EDWARDS, DARREN	1616198	P2	6/27/12
CARRION, LUCIANO	1785121	LN	6/27/12
GALLOWAY, FREDDIE	1683690	P1	6/27/12
LOPEZ, CEZAR	1785941	HD	6/28/12
ELQUTOB, SHARIF	1697624	P2	6/28/12
SCHILLES, EDWARD	769656	P1	6/28/12
WILSON, DARRELL	1737846	GL	6/30/12
TOVAR, PAUL	911689	P2	7/2/12
SENOKOWSKY, PAUL	1741393	RV	7/2/12
CADDELL, BRADLEY	1697940	HJ	7/2/12
JOHNSON, EUGENE	894913	FE	7/3/12
TREJO, JULIO	1471073	BY	7/6/12
KROEKER, PETER	1498764	BR	7/6/12
HERNANDEZ, DAVID	1772592	GG	7/8/12
MONTGOMERY, BRENT	1719516	GG	7/8/12
LINDAMOOD, MARK	1783355	CM	7/12/12
BAKER, CHARLES	1533171	BY	7/16/12
LANDEROS, ANDRE	1573731	GL	7/16/12
BOATRIGHT, MICHAEL	1788450	CL	7/18/12
PALM, ANTONIO	1604986	MI	7/18/12
ANDRADE, ROBERT	1575977	P1	7/18/12
ORNOA, JULIO	1767310	P1	7/19/12
HAWKINS, CHARLES	1752563	P2	7/19/12
KRIEG, JASON	1416090	E1	7/22/12
KEIFFER, DAVID	1689183	GG	7/25/12
JEMENEZ, GILBERT	1627271	GL	7/26/12
HARPER, DOUGLAS	1539472	ML	7/27/12
SUMMERS, DONALD	1786061	BL	7/29/12
BREWER, JERRY	1536843	B2	7/30/12
WALKER, HENRY	1667875	CL	7/30/12
WILSON, KINSLOW	1774941	CN	8/1/12
NICKERSON, CHARLES	1797560	ND	8/1/12
RODRIGUEZ, AUGAPITO	1789338	JT	8/1/12
ADAMS, RODNEY	1797921	ND	8/3/12
HUDSON, GREAGORY	1786202	DW	8/4/12
WELDON, GEORGE	666823	RV	8/9/12
SHEETS, ROBERT	1779215	LN	8/15/12
PORTILLO, ELIAS	1596576	VS	8/16/12
ENDRES, KURT	1790260	J1	8/18/12
JOHNSON, GARLAND	1659894	DA	8/22/12
FERNANDEZ, PEDRO	894777	JA	8/28/12
VOYLES, JAMES	689292	E2	8/30/12
MCDANIEL, ANDRE	1646822	JH	9/3/12
DELWARE, WESLEY	1204743	B2	9/5/12
TRAYLOR, CHRISTOPHER	1525694	E1	9/6/12
GUTIERREZ, VICTOR	1767227	R2	9/7/12
PEREZ, BOBBY	1117750	ML	9/8/12
FERGUSON, WILLIAM	1778064	CL	4/16/13

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BATTREAL, JESSE	1766616	LN	5/19/13
CULCLAGER, TREDRIC	1794578	NH	5/30/13
GARRETT, RHONDA	1748975	GV	6/3/13
KENNEDY, DUKE	1846009	GG	6/5/13
OLBERA, ROBERT	1704871	RV	6/5/13
TRUJILLO, EMILIO	1407784	RV	6/5/13
PRIDE, ARTHUR	1651306	RV	6/5/13
ECKOLS, LEROY	1509100	R1	6/6/13
TUTT, CHRIS	1613075	B2	6/8/13
PRICE, GARY	1734676	JN	6/11/13
HATHORN, BILLY	1633552	TO	6/11/13
KEIFER, DAVID	1689183	P1	6/11/13
QUEVEDO, JESSE	1692010	P2	6/12/13
GUZMAN, BARTHOLOMEW	1399983	WY	6/12/13
CONTRERAS, FERNANDO	1213042	B2	6/13/13
LEWIS, CALVIN	1185552	E1	6/13/13
ECKOLS, LEROY	1509100	R1	6/14/13
POLIDORE, JOSHUA	1838952	CM	6/14/13
CARLILE, CHARLES	1824598	LN	6/20/13
BAKER, JOSEPH	1000416	CO	6/20/13
HICKEY, MARC	1441619	MI	6/24/13
GOODACRE, PERRY	1695659	LH	6/26/13
MOWREY, MICHAEL	1582119	GG	6/26/13
ALANIZ, ANDRES	1843171	NH	6/26/13
FAGAN, JAMES	1756457	BX	6/28/13
JONES, KENNETH	1585909	RV	6/28/13
OLBERA, ROBERT	1704871	RV	6/28/13
CARRILLO, ALEXANDER	1792582	BR	6/29/13
WALKER, LANARD	1695636	E1	7/5/13
NICHOLS, CRAIG	1820054	KY	7/5/13
ENGLISH, JOEL	1853531	KY	7/5/13
BOOZER, EZEKIEL	1783235	LN	7/7/13
JONES, AMOS	1846308	GG	7/9/13
TAYLOR, JOHN	777312	JN	7/10/13
HATLEY, LARRY	1295956	MI	7/10/13
WILLIAMS, DAVID	1865038	ND	7/12/13
CHAPA, FELIPE	1670479	BX	7/15/13
COOLEY, CHRISTOPHER	1466146	TL	7/16/13
MENDEZCANTU, JOSE	1600067	E1	7/22/13
WADE, JAMIER	1847279	LN	7/24/13
LINLEY, ADRIAN	1756334	LN	8/1/13
LORNE, GARY	1429503	EA	8/1/13
MORRIS, DARRIN	1839856	VS	8/3/13
OLGUIN, EDWARD	1867616	NH	8/6/13
TUCKER, JARED	1777865	BR	8/6/13
BOYETT, STEVEN	1748167	SM	8/6/13
BAKER, JUSTIN	1782730	B2	8/6/13
TATUM, CHARLIE	1519548	RH	8/6/13
HEARNE, ROY	1312464	JA	8/7/13

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RAMIREZ, OSCAR	1727639	NH	8/7/13
MONTES, JUAN	1752403	GR	8/8/13
KENNEDY, CHARLES	1849402	LN	8/9/13
HONEYCUTT, DAVID	1838530	MI	8/12/13
SHIPMAN, JEREMY	1761279	P2	8/12/13
MORIN, JOEL	1864139	GG	8/13/13
WHEELER, JOAQUIN	1808995	EN	8/13/13
MOSQUEDA, RUBEN	1865776	GG	8/14/13
JONES, TONYA	1780364	HB	8/19/13
BROWN, CARL	1805664	GR	8/28/13
CHOICE, TIMOTHY	1611938	DU	8/29/13
BRANNON, JOSEPH	1820665	R2	8/30/13
WOOLDRIDGE, DWAYNE	1183253	BY	8/30/13
KEETON, JESSE	1843811	P1	9/2/13
FARROW, SAMMY	787811	N6	9/3/13
ANSURES, BENITO	1011720	E1	9/4/13
BURDINE, RACE	1702655	E1	9/4/13
GARCIA, DAVID	1818347	R1	9/4/13
GARSES, JUAN	1861561	JH	9/5/13
BOOTH, MARCUS	1810031	JM	9/6/13
JOUBERT, RICKY	1285960	BR	9/9/13
FRANCIS, SALAH	1870729	GG	9/11/13
MAXEY, CHRIS	1416824	ST	9/11/13
JOUBERT, RICKY	1285960	BR	9/12/13
HERNANDEZ, MARY	1555990	GC	4/26/14
JAMES, RODNEY	1778330	HF	5/10/14
HALL, BOBBY	1857544	R2	5/30/14
PRICE, JEWEN	1711163	R1	6/4/14
JONES, DAVID	1822823	R1	6/5/14
GORDON, VINCENT	1298732	EA	6/5/14
VELA, LEONARDO	1300507	TE	6/13/14
SANCHEZ, JESUS	1792305	GL	6/13/14
MCCOY, RANDY	1924666	GG	6/17/14
HUCKABAY, WILBUR	1914661	P1	6/18/14
GRIMES, DANIEL	1236927	BY	6/19/14
MENDOZA, JOSE	1775144	J3	6/19/14
DANIEL, TERRY	632073	N6	6/24/14

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §  
 McCOLLUM, individually, and STEPHANIE §  
 KINGREY, individually and as independent §  
 administrator of the Estate of LARRY GENE §  
 McCOLLUM, §

PLAINTIFFS

V.

CIVIL ACTION NO.

4:14-cv-3253

## JURY DEMAND

BRAD LIVINGSTON, JEFF PRINGLE, §  
RICHARD CLARK, KAREN TATE, §  
SANDREA SANDERS, ROBERT EASON, the §  
UNIVERSITY OF TEXAS MEDICAL §  
BRANCH and the TEXAS DEPARTMENT OF §  
CRIMINAL JUSTICE. §

DEFENDANTS

## Plaintiffs' Consolidated Summary Judgment Response Appendix

# EXHIBIT 266

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**From:** Eubank, Gary J.  
**Sent:** Thursday, April 21, 2016 12:58 PM  
**To:** Osteen, Jennifer K.  
**Subject:** FW: Heat Related Complaints - Standing Delegated Orders - D-27.5 Att L.

As requested

Gary J. Eubank, MSN, RN  
Chief Nursing Officer  
University of Texas Medical Branch  
Correctional Managed Care  
200 River Pointe Dr  
Ste 200  
Conroe, Texas 77304  
Ofc: 936-494-4187  
Cell: 936-232-3685

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**From:** Eubank, Gary J.  
**Sent:** Tuesday, December 16, 2014 1:04 PM  
**To:** Holloway, Tracy D.  
**Subject:** Re: Heat Related Complaints - Standing Delegated Orders - D-27.5 Att L.

I found the original with signatures from Sept 2012 and sent it to Jennifer.

Thanks,  
Gary  
**Gary J. Eubank, RN, MSN**  
**Chief Nursing Officer**  
University of Texas Medical Branch  
Correctional Managed Care  
200 River Pointe Dr. Ste 200  
Conroe, Texas 77304  
Ofc: 936-494-4187  
Cell: 936-232-3685

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**From:** <Holloway>, "Tracy D." <tdgreen@UTMB.EDU>  
**Date:** Tuesday, December 16, 2014 at 12:58 PM  
**To:** Gary Eubank <gieubank@utmb.edu>  
**Subject:** FW: Heat Related Complaints - Standing Delegated Orders - D-27.5 Att L.

Gary,

The policy was formulated September 2012, but we did not have all of the signatures until 9/21/2012, the policy was not rolled out or made effective until 10/2012. I attached the newest Policy Update page, it list the Policy as new 10/12.

This is the email from S. Williford when it was posted and the email to Sherry and the Nurse Managers from Justin.

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**From:** Williford, Sherry D.

**Sent:** Friday, October 05, 2012 8:37 AM

**To:** Robison, Justin R.; Holloway, Tracy D.; Brown, Paul V.; Saenz, Hilario; Robison, Jerri D.

**Cc:** Eubank, Gary J.

**Subject:** RE: Heat Related Complaints - Standing Delegated Orders - D-27.5 Att L.

Posted.

Sherry D. Williford

*Applications Systems Analyst*

*UTMB Correctional Managed Care*

*#2 Financial Plaza, Suite 625, Huntsville, TX 77340*

*office (936) 437-4216 fax (936) 437-3508*

---

**From:** Robison, Justin R.

**Sent:** Thursday, October 04, 2012 11:18 AM

**To:** Williford, Sherry D.; Holloway, Tracy D.; Brown, Paul V.; Saenz, Hilario; Robison, Jerri D.

**Cc:** Eubank, Gary J.

**Subject:** Heat Related Complaints - Standing Delegated Orders - D-27.5 Att L.

Attached are the finalized standing delegated orders for Heat Related Complaints signed by Gary and both Dr. Adams. Policy # is D-27.5 Att. L.

Realize we are officially in the fall season and hope we have no further heat related incidents this year but at least we will be prepared for next summer.

Please go ahead and share with your NMs.

Sherry - Please post to the CMC WEB.

Thanks,

Justin Robison, MSN, RN

Director of Nursing, In-Patient Services

Correctional Managed Care

University of Texas Medical Branch

Cell 806-535-1150

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA §  
 McCOLLUM, individually, and STEPHANIE §  
 KINGREY, individually and as independent §  
 administrator of the Estate of LARRY GENE §  
 McCOLLUM, §

PLAINTIFFS

V.

CIVIL ACTION NO.

4:14-cv-3253

## JURY DEMAND

BRAD LIVINGSTON, JEFF PRINGLE, §  
RICHARD CLARK, KAREN TATE, §  
SANDREA SANDERS, ROBERT EASON, the §  
UNIVERSITY OF TEXAS MEDICAL §  
BRANCH and the TEXAS DEPARTMENT OF §  
CRIMINAL JUSTICE. §

DEFENDANTS

## Plaintiffs' Consolidated Summary Judgment Response Appendix

# EXHIBIT 267

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**From:** Eubank, Gary J.  
**Sent:** Thursday, April 21, 2016 12:57 PM  
**To:** Osteen, Jennifer K.  
**Subject:** FW: Brief Heat Subcommittee Meeting - January 5th or 6th  
**Attachments:** Heat Related Illness SDO\_9-14.pdf

As requested

Gary J. Eubank, MSN, RN  
Chief Nursing Officer  
University of Texas Medical Branch  
Correctional Managed Care  
200 River Pointe Dr  
Ste 200  
Conroe, Texas 77304  
Ofc: 936-494-4187  
Cell: 936-232-3685

---

**From:** Eubank, Gary J.  
**Sent:** Tuesday, December 30, 2014 11:23 AM  
**To:** Kathryn Buskirk; Linda Knight; Sheri Talley; Michael Jones; Penn, Joseph; Morris, Susan M.; Robison, Justin R.; Zepeda, Stephanie D.  
**Cc:** Chris Black-Edwards; Phyllis Mcwhorter; Koranek, Angela; Gloria Moore; Krista Greathouse  
**Subject:** Re: Brief Heat Subcommittee Meeting - January 5th or 6th

Dr. Buskirk,

Attached is the UTMB Standing Delegated Orders for Heat Related Illnesses. These orders are approve by Drs. Smith and Morris. I am somewhat concerned that the policy is prescriptive in nature. Perhaps the treatment for each level of illness should be consistent with how each University Medical Directors recommend treatment?

Gary

**Gary J. Eubank, RN, MSN**

**Chief Nursing Officer**

University of Texas Medical Branch

Correctional Managed Care

200 River Pointe Dr. Ste 200



Conroe, Texas 77304

Ofc: 936-494-4187

Cell: 936-232-3685

---

**From:** Kathryn Buskirk <Kathryn.Buskirk@tdcj.texas.gov>

**Date:** Tuesday, December 30, 2014 at 7:42 AM

**To:** Linda Knight <Linda.Knight@tdcj.texas.gov>, Sheri Talley <sheri.talley@ttuhsc.edu>, Gary Eubank <gieubank@utmb.edu>, Mike Jones <michael.w.jones@ttuhsc.edu>, "Penn, Joseph" <jopenn@UTMB.EDU>, "Morris, Susan M." <smorris@UTMB.EDU>, Justin Robison <jrrobiso@UTMB.EDU>, "Zepeda, Stephanie D." <sdzepeda@UTMB.EDU>

**Cc:** "Chris Black-Edwards" <chris.black-edwards@tdcj.texas.gov>, Phyllis Mcwhorter <Phyllis.Mcwhorter@tdcj.texas.gov>, "Korane, Angela" <amkorane@UTMB.EDU>, Gloria Moore <Gloria.Moore@tdcj.texas.gov>, Krista Greathouse <Krista.Greathouse@tdcj.texas.gov>

**Subject:** RE: Brief Heat Subcommittee Meeting - January 5th or 6th

There are three attachments with suggested revisions from Dr. Zepeda for everyone's review and input.

---

**From:** Kathryn Buskirk

**Sent:** Monday, December 29, 2014 11:10 AM

**To:** Linda Knight; Sheri Talley; Gary Eubank; Michael Jones; Joseph Penn; Susan Morris (<smorris@utmb.edu>); Robison, Justin R.; Zepeda, Stephanie D.

**Cc:** Chris Black-Edwards; Phyllis Mcwhorter; <amkorane@utmb.edu>; Gloria Moore; Krista Greathouse

**Subject:** RE: Brief Heat Subcommittee Meeting - January 5th or 6th

In preparation for the Heat Policy Subcommittee teleconference, which we are trying to schedule for January 5<sup>th</sup> or 6<sup>th</sup>, I have attached CMHC Policy D-27.2 Heat Stress with Attachments A, B & C, and CMHC Policy D-27.3 Photosensitivity for your review and input.

The following two attachments contain proposed revisions (in red):

1. D-27.2 Attachment A, Drugs Associated with Heat Stress, contains suggested revisions, based on recommendations from the P&T committee, Dr. Korane, myself and Chris Black-Edwards.
2. D-27.3 Photosensitivity, also contains proposed revisions.

Please review all of the attachments and submit any recommendations, if possible, prior to the subcommittee teleconference.

We are hoping to present our final recommendations to the P&P Committee Meeting on January 8<sup>th</sup>.

Thanks.

Please let me know if you have any questions.

Kathryn Buskirk MD, CMD

Director of Quality Monitoring and Compliance

TDCJ, Health Services Division

---

**From:** Gloria Moore

**Sent:** Friday, December 19, 2014 4:29 PM

**To:** Kathryn Buskirk; Stephanie D. Zepeda; Linda Knight; Sheri Talley; Gary Eubank; Michael Jones; Joseph Penn; Susan Morris ([smmorris@utmb.edu](mailto:smmorris@utmb.edu)); Robison, Justin R.

**Cc:** Chris Black-Edwards

**Subject:** Brief Heat Subcommittee Meeting - January 5th or 6th

---

I would like to schedule a brief meeting with the above sub-committee members. We will set up a conference line once I know everyone availability. This meeting should take about 30 minutes.

Thank you and have a Great Day!!!!

Gloria Moore

Texas Department Criminal Justice

Office of Public Health &

Office of Special Monitoring

Administrative Asst. III

Assistant to

Chris Ann Black -Edwards

Assistant Chief Nursing Officer, Director II

Office of Public Health Infection Control

Phone: 936-437-3528

Fax: 936-437-3572

email: [gloria.moore@tdcj.texas.gov](mailto:gloria.moore@tdcj.texas.gov)

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<b>UTMB/CMC NURSING SERVICES POLICY MANUAL</b>	Effective Date: 10/12	Number: D-27.5 Attachment L  Page 1 of 7
	Reviewed: 9/14	
	Revised: 9/14	
	Formulated: Sept 2012	
<b>STANDING DELEGATION ORDERS HEAT RELATED COMPLAINTS</b>		

- ❖ Provider must be notified immediately upon obtaining vital signs and completion of the patient assessment- to include history of previous heat related incidents and current list of medications.

**Heat Cramps:**

**Significant signs and symptoms:**

If the core body temperature is 98.6-100.0 F and have one or more of the following assessment findings are present:

- Muscle cramps
- Pain, or spasms in the abdomen, arms, or legs

**Follow the listed treatment regimen:**

- Ensure basics of circulation, airway, and breathing (CAB).
- Apply C-collar for known or suspected head or neck injury or head injury that resulted in a loss of consciousness. Ensure spinal immobilization prior to moving patient.
- Move the patient to a cool air-conditioned place.
- Take vital signs to include oxygen saturation if available. Repeat every 15 minutes until stable or transferred out 911. Rectal temperature preferred to ensure an accurate body temperature reading. Obtain UA for ketones and specific gravity.
- If V/S are outside the following parameters (BP less than 90/60 or greater than 180/110, pulse less than 50/min or greater than 110/min, temp greater than 101F, respirations greater than 22/min) notify the provider.

<b>UTMB/CMC NURSING SERVICES POLICY MANUAL</b>	Effective Date: 10/12	Number: D-27.5 Attachment L  Page 2 of 7
	Reviewed: 9/14	
	Revised: 9/14	
	Formulated: Sept 2012	
<b>STANDING DELEGATION ORDERS HEAT RELATED COMPLAINTS</b>		

- Administer Oxygen at 2 LPM via nasal cannula. If severe shortness of breath or oxygen saturation less than 90%, administer oxygen at 15 LPM via non-rebreather mask. Be prepared to assist with ventilation with a Bag Valve Mask / Ambu Bag and 100% oxygen.
- Offer fluids by mouth if patient is able to tolerate (pitcher of cool water) and allow patient to begin cooling off in medical department.
- Notify provider of all changes in patient's condition as necessary.
- Complete the Heat Illness Reporting Form CMHC Policy D-27.2 Att C. and email to:
  - o Phyllis McWhorter, Health Services Liaison - [hsl@tdcj.texas.gov](mailto:hsl@tdcj.texas.gov) - via UTMB web mail
  - o Chief Nursing Officer's Administrative Secretary
- Document care/treatment provided on the Urgent/Emergent Care Record (HSM-16).

**Heat Exhaustion:**

**Significant signs and symptoms:**

If the core body temperature is 100-103.0 F and one or more of the following assessment findings are present:

- Tachycardia
- Diaphoresis
- Extreme fatigue or weakness
- Vertigo
- Nausea/Vomiting
- Irritability
- Fast shallow respirations
- Confusion
- Loss of coordination

<b>UTMB/CMC NURSING SERVICES POLICY MANUAL</b>	Effective Date: 10/12	Number: D-27.5 Attachment L  Page 3 of 7
	Reviewed: 9/14	
	Revised: 9/14	
	Formulated: Sept 2012	
<b>STANDING DELEGATION ORDERS HEAT RELATED COMPLAINTS</b>		

- Syncope
- Ashen skin color that is cool and clammy

**If the patient exhibits any of these significant signs and symptoms, prepare the patient for 911 transfer and call the provider.**

**Follow the listed treatment regimen:**

- Ensure basics of circulation, airway, and breathing (CAB).
- Apply C-collar for known or suspected head or neck injury or head injury that resulted in a loss of consciousness. Ensure spinal immobilization prior to moving patient.
- Move the patient to a cool air-conditioned place stripped of clothing and cooled rapidly using a water spray and cooling fans. Wet sheets to body surface areas. Apply ice packs to axilla, groin, popliteal, and neck areas.
- Take vital signs to include oxygen saturation if available. Repeat every 15 minutes till stable or transferred out 911. Rectal temperature preferred to ensure an accurate body temperature reading. Obtain UA for ketones and specific gravity.
- If V/S are outside the following parameters (BP less than 90/60 or greater than 180/110, pulse less than 50/min or greater than 110/min, temp greater than 101F, respirations greater than 22/min) notify the provider.
- Administer Oxygen at 2 LPM via nasal cannula. If severe shortness of breath or oxygen saturation less than 90%, administer oxygen at 15 LPM via non-rebreather mask. Be prepared to assist with ventilation with a Bag Valve Mask / Ambu Bag and 100% oxygen.
- Offer fluids by mouth if patient is able to tolerate (pitcher of cool water) and allow patient to begin cooling off in medical department.

<b>UTMB/CMC NURSING SERVICES POLICY MANUAL</b>	Effective Date: 10/12	Number: D-27.5 Attachment L  Page 4 of 7
	Reviewed: 9/14	
	Revised: 9/14	
	Formulated: Sept 2012	
<b>STANDING DELEGATION ORDERS HEAT RELATED COMPLAINTS</b>		

- Establish an IV via a peripheral site using 0.9% Normal Saline at 30ml/hr. Large bore needle preferred.
- If the BP is less than 70 mm Hg systolic, administer a 200 ml fluid bolus then repeat V/S. Notify the provider if V/S are still outside the following parameters (BP less than 90/60 or greater than 180/110, pulse less than 50/min or greater than 110/min, rectal temp greater than 101F, respirations greater than 22/min).
- Perform a finger stick blood sugar (FSBS)
- If FSBS is outside the normal range (below 60 or above 140) refer to the Hypo/Hyperglycemia SDO.
- Ensure patient safety by placing patient in a secure place, safe position/environment i.e. side rails up, mattress on floor, never unattended etc.
- Notify provider of any change(s) in patient's condition.
- Follow other Standing Delegated Orders as indicated (i.e. head injury, LOC, trauma, chest pain, etc.)
- Complete the Heat Illness Reporting Form CMHC Policy D-27.2 Att C. and email to:
  - Phyllis McWhorter, Health Services Liaison – [hsl@tdcj.texas.gov](mailto:hsl@tdcj.texas.gov) - via UTMB web mail
  - Chief Nursing Officer's Administrative Secretary
- Document care/treatment provided on the Urgent/Emergent Care Record (HSM-16).

**Heat Stroke:**

**Significant signs and symptoms:**



<b>UTMB/CMC NURSING SERVICES POLICY MANUAL</b>	Effective Date: 10/12	Number: D-27.5 Attachment L  Page 5 of 7
	Reviewed: 9/14	
	Revised: 9/14	
	Formulated: Sept 2012	
<b>STANDING DELEGATION ORDERS HEAT RELATED COMPLAINTS</b>		

If one or more of the following assessment findings are present:

- Core body temperature greater than 103.0 F
- Chills, gooseflesh
- Tachycardia
- Extreme fatigue or weakness
- Vertigo
- Nausea/Vomiting
- Irritability
- Fast, shallow, respirations
- Confusion
- Loss of coordination
- Hot, dry skin or profuse sweating
- Ashen skin color that is cool and clammy
- Throbbing headache
- Syncope
- Seizures/coma

**If the patient exhibits any of these significant signs and symptoms, immediately call 911 and the provider.**

**Follow the listed treatment regimen:**

- Ensure basics of circulation, airway, and breathing (CAB).
- Apply C-collar for known or suspected head or neck injury or head injury that resulted in a loss of consciousness. Ensure spinal immobilization prior to moving patient.
- Move the patient to a cool air-conditioned place stripped of clothing and cooled rapidly using a water spray and cooling fans. Wet sheets to body surface areas. Apply ice packs to axilla, groin, popliteal, and neck areas.

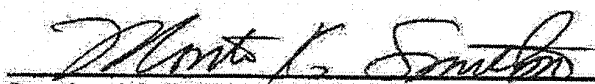


<b>UTMB/CMC NURSING SERVICES POLICY MANUAL</b>	Effective Date: 10/12	Number: D-27.5 Attachment L
	Reviewed: 9/14	
	Revised: 9/14	Page 6 of 7
	Formulated: Sept 2012	
<b>STANDING DELEGATION ORDERS HEAT RELATED COMPLAINTS</b>		

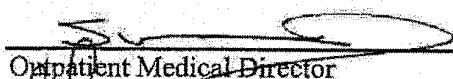
- Take vital signs to include oxygen saturation if available. Repeat every 15 minutes till stable or transferred out 911. Rectal temperature preferred to ensure an accurate body temperature reading. Obtain UA for ketones and specific gravity.
- If V/S are outside the following parameters (BP less than 90/60 or greater than 180/110, pulse less than 50/min or greater than 110/min, temp greater than 101F, respirations greater than 22/min) notify the provider.
- Establish an IV via a peripheral site using 0.9% Normal Saline at 30ml/hr. Large bore needle preferred.
- If the BP is less than 70 mm Hg systolic, administer a 200 ml fluid bolus then repeat V/S. Notify the provider if V/S are still outside the following parameters (BP less than 90/60 or greater than 180/110, pulse less than 50/min or greater than 110/min, rectal temp greater than 101F, respirations greater than 22/min).
- Administer Oxygen at 2 LPM via nasal cannula. If severe shortness of breath or oxygen saturation less than 90%, administer oxygen at 15 LPM via non-rebreather mask. Be prepared to assist with ventilation with a Bag Valve Mask / Ambu Bag and 100% oxygen.
- Offer fluids by mouth if patient is able to tolerate (pitcher of cool water) and allow patient to begin cooling off in medical department.
- Perform a finger stick blood sugar (FSBS)
- If FSBS is outside the normal range (below 60 or above 140) refer to the Hypo/Hyperglycemia SDO.
- Obtain EKG.

<b>UTMB/CMC NURSING SERVICES POLICY MANUAL</b>	Effective Date: 10/12	Number: D-27.5 Attachment L  Page 7 of 7
	Reviewed: 9/14	
	Revised: 9/14	
	Formulated: Sept 2012	
<b>STANDING DELEGATION ORDERS HEAT RELATED COMPLAINTS</b>		

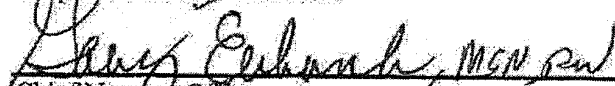
- Ensure patient safety by placing patient in a secure place, safe position/environment i.e. side rails up, mattress on floor, never unattended etc.
- Notify provider of any change(s) in patient's condition.
- Follow other Standing Delegated Orders as indicated (i.e. head injury, Altered mental status, trauma, chest pain, etc.)
- Notify provider of all changes in patient's condition as necessary.
- Complete the Heat Illness Reporting Form CMHC Policy D-27.2 Att C. and email to:
  - Phyllis McWhorter, Health Services Liaison – [hsl@tdcj.texas.gov](mailto:hsl@tdcj.texas.gov) - via UTMB web mail
  - Chief Nursing Officer's Administrative Secretary
- Document care/treatment provided on the Urgent/Emergent Care Record (HSM-16).

  
Inpatient Medical Director

9-24-14  
Date

  
Outpatient Medical Director

9/24/14  
Date

  
Chief Nursing Officer

9-24-14  
Date

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA	§	
McCOLLUM, individually, and STEPHANIE	§	
KINGREY, individually and as independent	§	
administrator of the Estate of LARRY GENE	§	
McCOLLUM,	§	
PLAINTIFFS	§	
	§	
v.	§	CIVIL ACTION NO.
	§	4:14-cv-3253
	§	JURY DEMAND
BRAD LIVINGSTON, JEFF PRINGLE,	§	
RICHARD CLARK, KAREN TATE,	§	
SANDREA SANDERS, ROBERT EASON, the	§	
UNIVERSITY OF TEXAS MEDICAL	§	
BRANCH and the TEXAS DEPARTMENT OF	§	
CRIMINAL JUSTICE.	§	
DEFENDANTS	§	

Plaintiffs' Consolidated Summary Judgment Response Appendix

**EXHIBIT 268**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA	§	
McCOLLUM, individually, and STEPHANIE	§	
KINGREY, individually and as independent	§	
administrator of the Estate of LARRY GENE	§	
McCOLLUM,	§	
PLAINTIFFS	§	
	§	
v.	§	CIVIL ACTION NO.
	§	4:14-cv-3253
	§	JURY DEMAND
BRAD LIVINGSTON, JEFF PRINGLE,	§	
RICHARD CLARK, KAREN TATE,	§	
SANDREA SANDERS, ROBERT EASON, the	§	
UNIVERSITY OF TEXAS MEDICAL	§	
BRANCH and the TEXAS DEPARTMENT OF	§	
CRIMINAL JUSTICE.	§	
DEFENDANTS	§	

Plaintiffs' Consolidated Summary Judgment Response Appendix

**EXHIBIT 269**

**Jessica O'Donnell**

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**From:** Jessica O'Donnell  
**Sent:** Wednesday, August 05, 2015 12:22 PM  
**To:** Richard Alford; Kelvin Scott; Leonard Echessa; Joe Grimes; Jason Heaton; Eric Guerrero  
**Cc:** Lindsay Lewis; Felicia Cotton; Veronica Rubio; Ashley Johnson; Joyce Johnson; Sherry Barrington  
**Subject:** Respite Areas  
**Attachments:** NOTICE TO CORRECTIONAL OFFICERS.docx; NOTICE TO OFFENDERS.docx

As discussed in this afternoon's conference call:

Please disseminate the attached Notice to Offenders and Notice to Correctional Staff to all Wardens in your respective Region.

Each Warden shall include all respite locations on the unit in the space provided on the Notice to Offenders and post the Notice in all offender housing areas, work locations and law libraries.

The Notice to Correctional Staff shall be discussed during shift turnout meetings, posted on employee bulletin boards and distributed to all unit department heads.

Auth: Robert Eason  
Deputy Director  
Prison/Jail Operations

Thank You,

Jessica O'Donnell  
Executive Assistant  
Prison/Jail Operations  
936.437.6318  
F: 936.437.8725

# NOTICE TO CORRECTIONAL OFFICERS

Respite areas are being made available for offenders to prevent the development of heat-related illnesses. These areas have been designated by the Warden. Offenders have received notification to request assistance from a staff member if they are experiencing difficulty due to heat.

Upon notification, the staff member will allow access to a respite area of the unit. Security staff are responsible for supervision of offenders in the respite areas. If the offender has a specific medical complaint such as muscle cramps, muscle pain, weakness, excessive fatigue, dizziness, headache, and/or confusion, security should immediately bring the offender into the medical department for evaluation.

Offenders listed on the Wellness Checklist shall have access to respite areas during the afternoon and evening hours during periods of low offender movement. These offenders shall continue to be monitored closely with required security checks for signs of heat-related illnesses.

# **NOTICE TO OFFENDERS**

**Areas are being made available for offenders who are experiencing difficulty due to heat. These areas are located (INSERT LOCATIONS ON THE UNIT HERE). If you are experiencing difficulty due to the heat, please notify a staff member immediately.**